

REMARKS

Reconsideration and allowance are respectfully requested in light of the above amendments and the following remarks.

Claim 10 has been amended to overcome the rejection under 35 USC §112, second paragraph. This amendment is non-narrowing and no estoppel is deemed attachable thereto.

Claims 8-10 and 12 were rejected, under 35 USC §103(a), as being unpatentable over Gilhousen (US 6,034,635) in view of Sundelin et al. (US 6,144,861). Claim 11 was rejected, under 35 USC §103(a), as being unpatentable over Gilhousen in view of Sundelin and further in view of Dahlman et al. (US 6,173,162). Applicants respectfully traverse these rejections.

The present invention, as defined in independent claims 8, 9, and 12, includes a feature of improving a position detection accuracy by raising the target quality or transmission power control when performing position detection of a terminal during diversity handover. This improvement is achieved by detecting the direction of a terminal with respect to a base station, taking advantage of array antenna characteristics, and by detecting the distance of the terminal with respect to the base station based on a signal's propagation delay.

That is, the present invention provides an advantage of solving a problem that occurs during handover when a

communication terminal apparatus performs communication with a plurality of base stations in a CDMA wireless communication system. In such a system, a communication terminal performs communication with one base station during normal operation and each base station alone is able to detect the position of the terminal apparatus. Thus, the present invention is effective when adopted in such a system.

The Office Action acknowledges that Gilhousen fails to teach a receiver that receives second information, provided by a control station apparatus, to the effect that a target quality is to be changed to a level, provided by the control station apparatus, that enables position detection (Office Action page 3, lines 9-13). Additionally, the Office Action acknowledges that Gilhousen does not teach a transmit power controller that changes the target quality according to the second information and performs transmission power control for a communication terminal apparatus at the changed target quality (page 3, lines 13-16).

To overcome Gilhousen's deficiency with respect to the claimed subject matter, the Office Action proposes that, in the same field of Gilhousen's invention, Sundelin teaches that each base station determines the SIR of a received signal, during a soft handover, and the terminal performs transmit power control based on the determined SIR (page 3, lines 16-20). From this

proposed teaching, the Office Action concludes that it would have obvious to one of ordinary skill in the art to combine the teachings of Gilhousen and Sundelin to arrive at the present invention.

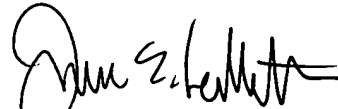
However, the Applicants note that Sundelin contains no disclosure relating to position detection and bears no relationship to Gilhousen and the present invention. Sundelin does not teach receiving second information, provided by a control station apparatus, to the effect that a target quality is to be changed to a level, provided by the control station apparatus, that enables position detection. Sundelin also does not teach changing the target quality based on the second information.

Gilhousen and Sundelin, thus, relate to different technical fields, and one of ordinary skill in the art would not have considered the combination of Gilhousen's and Sundelin's teachings as being obvious. These applied references, considered alone or together, do not disclose or suggest the subject matter of the present claimed invention. Therefore, allowance of claims 8, 9, and 12 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



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